IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD
(Special Original Jurisdiction)

TUESDAY THE EIGHTEENTH DAY OF DECEMBER
TWO THOUSAND AND SEVEN

PRESENT
THE HON'BLE MR JUSTICE NOOTY RAMAMOHANA RAO

WPMP.No.31905 of 2007
in
WRIT PETITION No.29897 of 1997

Between:
A.P.State Electricity Board, rep. By its Secretary
Vidyut Soudha, Somajiguda, Hyderabad
and 4 others

.....
PETITIONERS/RESPONDENTS

AND
P.Tajuddin

.....RESPONDENT/PETITIONER

THE HON'BLE MR JUSTICE NOOTY RAMAMOHANA RAO

WPMP No.31905 of 2007
in
WRIT PETITION No.29897 of 1997

ORDER:

Heard the learned counsel on either side.

The present WPMP has been moved soliciting a review of the order dated 14.03.2007, passed by this Court in W.P.29897 of 1997, which was disposed in the following terms:

> "Since there is no contest put up by the respondents disputing the factual claim made by the writ petitioner that his case has not been considered purposefully for public employment under the 1st respondent and consequently, the fundamental rights guaranteed to him under Articles 14 and 16 of the Constitution of India stood violated, this Writ Petition is allowed. The respondents are directed to appoint the writ petitioner as an Electrician/Workman/Lineman/Helper within a period of 3 months."

The respondents in the writ petition have filed this review petition, and explained the reasons for their not putting up any contest when the writ petition was heard, as they were under *bona fide* and mistaken impression that the writ petition stood disposed of in terms of the interlocutory orders passed therein earlier itself.

Sri G.Vidhyasagar, the learned counsel for the review petitioners

has pointed out that the writ petitioner had been held out an assurance that his case will be considered for recruitment as and when vacancies are sought to be filled in by the method of direct recruitment by the respondents in the writ petition. However, there was no direct recruitment undertaken by the respondents in the writ petition, as pursuant to their policy decision they have gone about absorbing all contract/temporary employees, and consequently, there was no direct recruitment resorted to by the Board. Even now, the learned counsel would assure that the case of the writ petitioner would be considered as and when direct recruitment is undertaken by the review petitioners.

In view of the submissions advanced by the review petitioners/respondents, the last paragraph of the order dated 14.03.2007, passed in W.P.29897 of 1997 is modified as follows:

"I have no doubt in my mind that the respondents will certainly consider the case of the writ petitioner for recruitment, provided he possess the necessary qualifications and/or the requisite experience for such direct recruitment. The issue relating to relaxation of the upper age limit, will be considered appropriately by the respondents at the time when such direct recruitment is taken up, provided the writ petitioner submits his candidature for such direct recruitment at that stage. Accordingly, the Writ Petition is disposed of. There shall be no order as to costs."

With the above modification, the present review WPMP is allowed.

NOOTY RAMAMOHANA RAO,J

Dated:18.12.2007
Dsr

Note:

The Registry is directed to carry out
the modification and issue
amended copy of the order to the concerned.

B/o

Dsr